

F

Caldwell, William H.

To the honorable Senate &  
House of Representatives..

Washington 1871







*To the Honorable Senate and House of Representatives  
in Congress assembled :*

The undersigned memorialists, citizens of Washington, District of Columbia, owners of property on the line of F street west of the new State, War, and Navy Department building, respectfully beg leave to submit the following facts regarding the work done under the direction of the late "Board of Public Works" of this city between the said building and Twenty-fourth street northwest :

1st. That the depression of the grade, <sup>or</sup> ~~#~~ cut, on F street as above, was made to lower the surface of the street to the new street-line adopted by the architect of the said building, A. B. Mullett. (We are credibly informed that Mr. Mullett, though a member of the late Board of Public Works, refused to sign any assessment certificates issued in respect to this improvement, so called, because it did not result in especial benefit to the abutting private property, and likewise because it was properly chargeable against the General Government, being made in its interest, as aforesaid.) That the same was done for United States Government uses and purposes and by United States Government officers, as will be seen by reference to Mr. Mullett's testimony before the Starkweather Committee, (Report No. 72, May 13, 1872, 42d Congress, 2d session, pages 575, 576, &c.,) and that one of the finest and most beautiful streets in the West End of the city was lowered in grade from four to ten or twelve feet, causing great injury and damage to the property of your petitioners abutting on F street in various ways, such as—

1st. Difficulty and inconvenience of access to the same

from the necessity of added steps to reach the dwellings and other buildings on said street.

2d. The added expense and labor in supplying fuel and other necessities to their premises.

3d. The preservation, at considerable cost, of the sustaining walls of the embankments and the coping, &c., &c., created by the cut.

4th. Destruction of beautiful shade trees a half century old, lining both sides of said street.

5th. Loss to property-holders in many cases by the vacation of their premises by tenants, on account of unhealthfulness created by the disturbance of the soil during 12 months and over.

6th. The derangement of the sewer system and drainage of said street by cutting so closely to the sewers, notably in the more western end of the street, and indeed other damage, which may easily be seen upon inspection of the street.

Your memorialists respectfully state that the work so done, for Government use, was under the supervision of the late Board of Public Works, and was from the inception thereof vigorously protested against by them, and that they did not confine themselves to mere protest, but were forced to commence proceedings in the District courts against the levy of special assessments for said work on their property, which was and is a very serious cloud thereupon, causing to them great expense and anxiety.

Also, that the said work was done in many ways very extravagantly, and the charges made for the same were much in excess of the value of the work, and included unlawful and wrongful charges, which were so apparent to your honorable bodies that you ordered a revision of the street special assessments, and under the said act of revision some reductions were made by the District Com-

missioners, who evidently did all they could under the act to alleviate the burden on property-holders, but not to the extent that your petitioners deem sufficient or due to them.

Also, that ten per centum per annum interest was charged from 1872, the time of original assessment, in lieu of six per centum, which latter rate was all that was contemplated by your Honorable Bodies in the act for the same, thus nearly doubling the amount of the bills rendered. This was, evidently, entirely at variance with legislation on this point.

Your petitioners submit that if interest were charged at all, it should have been from the date of revision of these special assessments in 1879.

We protest wholly against these special assessments upon and damages to our property again, because that in direct defiance of the organic law of the District certificates of indebtedness were issued against our property before the completion of the work on said F street, (indeed, the work has not yet been completed,) and were bought up, it is understood, at considerable discount by a foreign banking company, which has constantly endeavored to enforce the payment of said certificates upon your petitioners, who have as constantly opposed the said company in the District courts, until the said company was sustained in their demands by the U. S. Supreme Court, when your petitioners, being forced to pay their certificates, did so under protest.

Now, the undersigned, your petitioners, come before your Honorable Bodies for full relief and redress, upon the ground that their property has been grievously damaged for the benefit and purposes of the United States Government, and their appeal properly lies to your Honorable Houses, who we humbly beg will render void and

of non-effect the said special assessment as against their property on F street aforesaid, so that your petitioners, who have been forced to pay the same, may be refunded for principal and interest all their payments on account of the same, and also those who have not made such payments may be relieved by an act to be passed by your Honorable Houses, to cancel all certificates of indebtedness of whatever nature there may exist for special assessments against your memorialists' property on F street, between Seventeenth and Twenty-fourth streets northwest, and also including and directing to be made, by some fair and honorable means, an examination of the damages to your memorialists' property, caused by the change of grade in said street, and an award therefor, with instructions to the District Commissioners, or to the Treasurer of the United States, to pay such awards to the parties in interest.

And your petitioners, as in duty bound, will ever pray.

WM. M. CALDWELL,

WM. B. WEBB,

NATHANIEL MICHLER,

CHAS. D. MAXWELL,

JNO. L. EDWARDS,

*for heirs of* JAS. H. EDWARDS :

ROBERT REYBURN,

WM. GUNTON,

COLUMBUS ALEXANDER,

WM. H. MINNIX,

AND OTHERS.









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